

HOUSE BILL 4050

By Towns

AN ACT to amend Tennessee Code Annotated, Title 25;  
Title 26; Title 45 and Title 47, relative to personal  
bank accounts.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 26-2-111, is amended by adding the following language as a new subdivision:

(7) Notwithstanding any provision of law to the contrary, funds in any personal bank account of the debtor if execution, seizure or attachment is attempted by any business entity. For purposes of this subdivision (7), "business entity" means, whether foreign or domestic and whether for profit or not-for-profit, limited liability companies, corporations, unincorporated associations, real estate investment trusts, statutory or business trusts or associations, estates, general partnerships, limited partnerships, registered or unregistered limited liability partnerships, limited liability limited partnerships or similar organizations, trusts, joint ventures, two (2) or more persons having a joint or common economic interest. Individual bank accounts shall not be exempt from execution, seizure or attachment by the state of Tennessee or the Federal government.

SECTION 2. Tennessee Code Annotated, Section 47-18-104(b), is amended by adding the following language as a new subdivision:

(45) Withdrawing funds from a bank account of any person who becomes delinquent or falls behind in payments for a product, service or pursuant to a contract.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the

act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 4. This act shall take effect July 1, 2008, the public welfare requiring it.